

TERM CONTRACTS

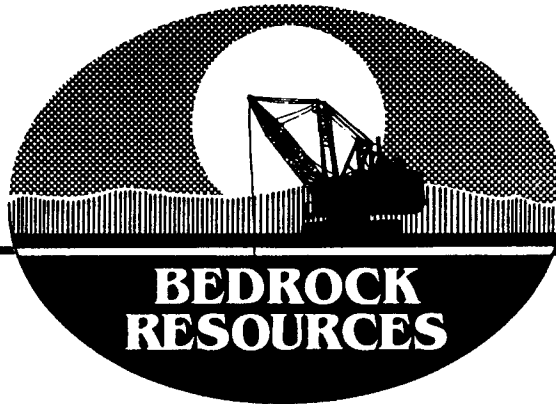
9. **Approve Amendment #3 to IFB-3059-02/GMG - Term Contract for the Purchase of FDOT 911 Limerock, with Bedrock Resources, Ocala (Price Increase) (Term Contract).**

A/B-3059-02/GMG provides for all necessary labor, materials, equipment, transportation and incidentals necessary to provide FDOT 911 limerock to be used by the Roads-Stormwater Division on multiple projects throughout the County.

Amendment #3 will provide for a price schedule increase due to the escalations in costs associated with the materials, fuel and transportation. The current Contractor, Bedrock Resources, Ocala, requested an increase of \$1.65 per ton for all contracted items. A price comparison with other Governmental entities was conducted, which is contained in the backup. This comparison justifies that the new prices are in line with other contracts. The price schedule and the history of the contract is included in the back up documents. The following is the summary of the cost of the contract:

Original Contract Amount	\$962,625.00
Amendment #1	28,750.00
Amendment #2	39,750.00
Add Amendment #3	<u>186,050.00</u>
Revised Estimated Usage	\$1,217,175.00

Public Works/Roads-Stormwater Division and Fiscal Services/Purchasing and Contracts Division recommend the Board to approve and authorize the County Manager to execute the Amendment as approved and prepared by the County Attorney's Office.



Cell-
352-425-2626

November 18, 2004

To: Mrs. Gloria Garcia
Senior Procurement Analyst
Seminole County Government
1101 E. First St., Rm. 3208
Sanford, Florida 32771-1466

Dear Mrs. Garcia,

It would be nice to write you one time without having to make a request of the county. However, at this time, we must request an additional **\$1.65 per ton increase** from Seminole County under **Bid #IFB-3059B-021GMG**. The present price quoted for limerock will need to be adjusted to offset the increased costs due to the rising prices of diesel fuel.

Our justification for requesting the increase is based on the following:

- a) Delivery costs have increased due to the rise in diesel fuel prices of 50 cents (\$0.50) per gallon from May of 2004 to November of 2004. (See attached chart from the Dept. of Energy)
- b) Production costs have also risen due to the increased fuel prices experienced nationwide.

Time is of the essence in this matter since we have received two (2) P.O.'s and we cannot absorb these additional fuel costs at the prices requested. Thank you for your kind consideration in this matter. If you have any questions please do not hesitate to contact me.

Sincerely,

Elton S. Sylvia

Elton Sylvia
Sales

*They do not own
any trucks. Co. will
not haul for them.
unless ↑ \$2.00.
1/3/05*

IFB-3059-02/GMG
Term Contract for the Purchase of FDOT 911 Limerock

Price Schedule History

Price per Ton

ITEM	DESCRIPTION/ FDOT 911	ORIGINAL CONTRACT 4/7/2003	AMENDMENT #1 7/16/2003 (.03% Increase)	AMENDMENT #2 7/21/2004 (.04% Increase)	PROPOSED INCREASE FOR AMENDMENT #3 (18% Increase)
1.	Limerock Base FOB Sanford	\$8.10	\$8.35	\$8.70	\$10.27
2.	Limerock Base FOB Oviedo	\$8.35	\$8.60	\$8.95	\$10.56
3.	Limerock Base FOB Job Site within 75 miles of shipping point	\$8.25	\$8.50	\$8.85	\$10.44
4.	Limerock Base FOB Job Site, 75 miles or more from shipping point	\$8.50	\$8.75	\$9.10	\$10.74
5.	Limerock Stabilizer FOB Sanford	\$8.25	\$8.50	\$8.85	\$10.44
6.	Limerock Stabilizer FOB Oviedo	\$8.65	\$8.90	\$9.25	\$10.92
7.	Limerock Stabilizer FOB Job Site within 75 miles of shipping point	\$8.40	\$8.65	\$9.00	\$10.62
8.	Limerock Stabilizer FOB Job Site, 75 miles or more from shipping point	\$8.85	\$9.10	\$9.45	\$11.15

The Purchasing & Contracts Division prepared the following table based on the findings of a market research around surrounding Counties

PRICE COMPARISON

PRODUCT DESCRIPTION	ORANGE COUNTY CONTRACT WITH FLORIDA CRUSHED STONE	VOLUSIA COUNTY CONTRACT WITH BEDROCK RESOURCES	QUOTE FROM FLORIDA CRUSHED STONE <i>(Price to Government entities based upon U.S. Dpt of Energy current diesel fuel prices)</i>
FDOT 911 LIMEROCK	\$8.55 (price increase under review)	\$11.70	\$11.25

Florida Crushed Stone Company

a subsidiary of Rinker Materials

P.O. Box 490300, Leesburg, FL 34749-0300

(352) 787-0608 (800) 767-0608

***QUOTATION**

Customer:	<u>Seminole County Purchasing</u>	Attention:	<u>Betsy Cohen</u>
	<u></u>	Telephone:	<u>407-665-7112</u>
	<u></u>	Fax Number:	<u>407-665-7956</u>
Job Name:	<u>various county facilities</u>		
Location:	<u>county-wide</u>		

[illegible]

Notes: PLEASE NOTE: Freight above is subject to a fuel surcharge, adjusted monthly, which is based upon an average of the previous month's diesel fuel prices, per the U.S. Dept. of Energy

Proposal By:

Signature: Karen House
Title: Sales Service Representative
Date: 01/10/05

ABOVE PRICING IS GOOD THROUGH 12/31/05.

* Acceptance of this quotation is limited to 30 days from above date.

*Prices quoted are subject to terms & conditions on reverse.

** Discount on payment made by the 10th of the month following purchase.

*** Freight rates are not guaranteed and are provided for information purposes only.

**THIRD AMENDMENT TO TERM CONTRACT FOR PURCHASE OF FDOT 911 LIMEROCK
(IFB-3059-02/GG)**

THIS THIRD AMENDMENT is made and entered into this _____ day of _____, 20____ and is to that certain Agreement made and entered into on the 7th day of April, 2003, as amended on July 16, 2003 and on July 21, 2004, between **BEDROCK RESOURCES**, whose address is 1610 SW 17th Street, Ocala, Florida 34474, hereinafter referred to as "CONTRACTOR," and **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as "COUNTY".

W I T N E S S E T H:

WHEREAS, the CONTRACTOR and COUNTY entered into the above-referenced Agreement on April 7, 2003, as amended on July 16, 2003 and on July 21, 2004, for purchase of FDOT 911 Limerock; and

WHEREAS, the parties desire to amend the Agreement so as to enable both parties to continue to enjoy the mutual benefits it provides; and

WHEREAS, Section 21 of the Agreement provides that any amendments shall be valid only when expressed in writing and duly signed by the parties,

NOW, THEREFORE, in consideration of the mutual understandings and agreements contained herein, the parties agree to amend the Agreement as follows:

1. Exhibit "A" of the Agreement is amended by the increase of ONE AND 65/100 DOLLARS (\$1.65) per ton for all contracted items, as indicated on Exhibit "A" attached hereto.

2. Except as herein modified, all terms and conditions of the Agreement shall remain in full force and effect for the term of the Agreement, as originally set forth in said Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this instrument for the purpose herein expressed.

BEDROCK RESOURCES

Witness

By: _____
DARRYL C. LANKER, President

Witness

Date: _____

WITNESSES:

SEMINOLE COUNTY, FLORIDA

By: _____
J. KEVIN GRACE, County Manager

Date: _____

For the use and reliance
of Seminole County only.

Within authority of Resolution
No. 93-R-71 adopted February 23,
1993.

Approved as to form and
legal sufficiency.

County Attorney
AC/lpk
2/3/05
3m-ifb-3059

IFB-3059-02/GMG
Term Contract for the Purchase of FDOT 911 Limerock

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